

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

In the Matter of the Petition of
OMAHA PUBLIC POWER DISTRICT,
a public corporation of Omaha,
Nebraska, to acquire a
right-of-way easement across
real estate in Douglas County,
Nebraska, by eminent domain
for the purpose of constructing,
operating and maintaining
power lines for the transmission
and distribution of electricity,

OMAHA PUBLIC POWER DISTRICT,
a public corporation,

Petitioner and Condemnor,

vs.

UNION PACIFIC RAILROAD
COMPANY, Owner,

Condemnee.

NO. 8:05CV-394

ORDER OF DISMISSAL

On joint motion of the parties, this action is dismissed with prejudice, and the matter is remanded to the County Court of Douglas County, Nebraska.

Dated: September 29, 2005

BY THE COURT:

s/ Joseph F. Bataillon
U.S. District Court Judge